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NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventors: Siva Perraju TOLETY

For: METHOD, APPARATUS AND PROGRAM FOR  
DETERMINING AVAILABLE BANDWIDTH BETWEEN  
MULTIPLE POINTS IN A COMMUNICATION SYSTEM

EK673490258US

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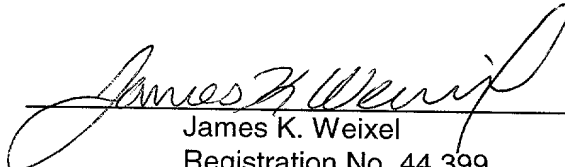
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Enclosed are:

- [59] pages of specification and cover sheet
- [33] pages of claims
- [1] page of abstract
- [8] sheets of formal drawings.
- [2] pages of declaration and power of attorney.
- [2] pages of assignment and assignment recordation form
- [2] pages of information disclosure statement
- [1] page of USPTO form 1449
- [1] reference
- [1] return postcard

CLAIMS AS FILED				
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James K. Weixel  
Registration No. 44,399  
Attorney for Applicant(s)

GTE Service Corporation  
600 Hidden Ridge, HQE03G13  
Irving, TX 75038  
Phone: (781) 466-2220  
Fax: (781) 466-4021

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# METHOD, APPARATUS AND PROGRAM FOR DETERMINING AVAILABLE BANDWIDTH BETWEEN MULTIPLE POINTS IN A COMMUNICATION SYSTEM

## BACKGROUND OF THE INVENTION

1. Field of the Invention

5 This invention relates generally to communication systems, and in particular to a method, apparatus and program for determining available bandwidth in a communication path coupled between nodes in a communication system.

10 2. Related Art

Internet connection service providers typically promise customers that they will be provided with specific bandwidth rates for particular types of service connections (e.g., ADSL, xDSL, ISDN, etc.).

15 Despite these promises, however, at any given time, actual bandwidth rates may differ substantially from promised bandwidth rates, owing to, for example, the presence of severe traffic congestion in communication system components and system component capacity

20 limitations. As a result, connection service providers often receive many complaints from customers concerning long download delays, problems encountered during Packet Internet Groper (PING) operations, and other complaints relating to bandwidth reductions in

25 general.

To respond to these problems, connection service providers often employ known test procedures for isolating problem system components. Unfortunately,

most known test procedures are unsatisfactory in that they test only components interposed between customer premise and central office switching equipment, but do not test upstream system components. An example of

5 one such test procedure is the Fujitsu Speed Port Shelf Manager, which enables troubleshooters to conduct bit error rate (BER) tests, noise margin estimates, errored seconds (ER) and severe errored seconds (SER) estimates, and attenuation estimates.

10 At least some connection service providers respond to customer complaints concerning low bandwidth rates by terminating existing virtual circuits connecting customer premise equipment to backbone cloud (network) equipment, such as a network (e.g., Frame Relay)

15 switch, and by then "rebuilding" other virtual circuits to couple the customer premise equipment to a test server through another switch in the network. This step is necessary because, during normal, non-testing conditions, the test server and customer

20 premise equipment are typically connected to different switches, and thus are not communicatively coupled together. A file having a predetermined size is then downloaded from the test server to the customer premise equipment by way of the rebuilt virtual

25 circuit. The customer premise equipment then measures (using a program) the period of time taken for the

file to be received therein, by, for example,  
detecting receipt times of beginning and ending  
portions (e.g., Start-of-File and End-of-File,  
respectively) of the file, and by then calculating the  
5 difference between those receipt times. The customer  
premise equipment also determines the size of the  
downloaded file by counting each byte included in the  
file, as it is received in the customer premise  
equipment, and by then multiplying the total number of  
10 counted bytes by '8' to determine the total number of  
bits included in the file. Thereafter, an estimate is  
made of the file download rate (i.e., the downlink  
bandwidth rate), based on the measured download time  
period and the determined file size.

15 Unfortunately, however, the foregoing prior art test  
procedure has a number of drawbacks. One drawback is  
that the "rebuilt" virtual circuit is not necessarily  
the same original virtual circuit used during normal,  
non-testing conditions, and thus the bandwidth rate  
20 determined during the test may be an inaccurate  
estimation of the typical bandwidth provided to the  
customer premise equipment. Also, the test procedure  
does not provide any indication of the uplink  
bandwidth rate and the system components which may be  
25 causing the bandwidth reduction problem. Moreover,  
the test procedure requires intensive operator

intervention for rebuilding the virtual circuit,  
rendering the procedure susceptible to human-induced  
errors. Furthermore, owing to possible manpower  
limitations and associated costs, it might not be  
5 feasible to perform such a procedure on a large scale,  
especially where the customer base being supported is  
a large one.

At least one known bandwidth estimation technique  
enables customers to conduct a download bandwidth test  
10 using off-the-shelf software (see, for example, the  
"Bandwidth Speed Test" provided at  
[http://www.computingcentral.com/topics/bandwidth/speed  
test500.asp](http://www.computingcentral.com/topics/bandwidth/speed<br/>test500.asp)). This technique apparently is performed  
using a large Hyper Text Markup Language (HTML) page,  
15 wherein a Javascript code in the page determines  
starting and ending times of a transfer of a portion  
of the page, for use in determining the download  
bandwidth. Unfortunately, because browser software is  
employed to determine the starting and ending times of  
20 the page transfer, the technique is subject to browser  
idiosyncrasies which can reduce the accuracy of the  
downlink bandwidth determination (different browser  
software may provide different bandwidth estimates).  
The technique also requires the use of customer  
25 premise equipment software which can understand the  
HyperText Transfer Protocol (HTTP). This can further



reduce the accuracy of the bandwidth determination,  
especially in cases where the customer premise  
equipment software gives low priority to processing  
HTTP-related requests. Moreover, the technique does  
5 not provide any estimate of the uplink bandwidth.

There is a need, therefore, for an improved technique  
which reliably determines an amount of bandwidth  
available in a communication path coupling together  
nodes in a communication system, and does not suffer  
10 from the drawbacks discussed above.

#### SUMMARY OF INVENTION

It is a first object of this invention to provide an  
improved method, apparatus, and program for  
determining an amount of bandwidth available in at  
15 least a portion of a communication path coupling  
together nodes in a communication system.

It is another object of this invention to determine an  
amount of bandwidth available between multiple points  
in a communication system, at a single node in the  
20 communication system.

Further objects and advantages of this invention will  
become apparent from a consideration of the drawings  
and ensuing description.

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The foregoing and other problems are overcome and the objects of the invention are realized by a method for determining an amount of bandwidth available in at least one communication path which couples a plurality

5 of nodes together, and a program and apparatus that operate in accordance with that method. In accordance with one embodiment of the invention, the method comprises steps of exercising the communication path, using information signals, to determine the amount of

10 time it takes for at least one of those information signals to traverse the path in at least one direction, and determining the amount of bandwidth available in at least a portion of the path, based on the amount of time determined in the exercising step.

15 A first one of the plurality of nodes preferably comprises a router located at a Point of Presence of an Internet Service Provider (ISP), and a second one of the plurality of nodes preferably comprises a user communication terminal (customer premise equipment).

20 Those nodes are coupled together through components of a communication system forming the communication path.

In accordance with another embodiment of this invention, uplink and downlink bandwidth rates available in the communication path are determined by

25 transferring a file between a test node and the user

communication terminal, by way of the at least one  
communication path and a router. The uplink and  
downlink bandwidth rates are then calculated based on  
the file size, a rate at which the file is received at  
5 the terminal, and a rate at which the file is received  
at the test node, respectively.

#### BRIEF DESCRIPTION OF THE DRAWINGS

The present invention will be more readily understood  
from a detailed description of the preferred  
10 embodiments taken in conjunction with following  
figures:

Fig. 1 is a block diagram of a communication system 10  
that includes a test node 22 constructed and operated  
according to this invention.

15 Fig. 2 is a block diagram of a user communication  
terminal 21 representing in further detail the test  
node 22 and a user communication terminal 1 of the  
system 10 of Fig. 1.

Figs. 3a-3b show a logical flow diagram of a method  
20 for determining an amount of bandwidth available in a  
communication path coupling multiple points in a  
communication system, in accordance with one  
embodiment of this invention.

Fig. 4 shows an example of a message format employed for communicating messages during the performance of the method of Figs. 3a-3b, according to one embodiment of the invention.

- 5 Fig. 5 shows an example of another message format employed for communicating error messages during the performance of the method of Figs. 3a-3b, according to an embodiment of the invention.

Fig. 6 is a block diagram of another communication  
10 system 50 that is suitable for practicing this invention, wherein the communication system 50 includes a test node 22 constructed and operated according to this invention.

Fig. 7 shows a logical flow diagram of a method for  
15 determining an amount of bandwidth available in a communication path coupled between multiple points in a communication system, according to another embodiment of this invention.

Identical portions of the various figures have been  
20 identified with the same reference numerals in order to simplify the description of the invention.

**DETAILED DESCRIPTION OF THE  
PREFERRED EMBODIMENTS**

Fig. 1 is a block diagram of a communication system 10 that is suitable for practicing this invention. In the illustrated embodiment, the communication system 10 comprises client premise equipment (CPE) 18, a central office switching station 8, a communication network 13, and a communication interface 20 for coupling the communication network 13 to a communication network entity 17, such as the Internet. In accordance with this invention, the communication system 10 also comprises a test node (hereinafter also referred to as a "user communication terminal" ) 22 which is bidirectionally coupled to a node 15 (to be described below) of the interface 20, through each of a plurality of communication links 24a and 24b.

The CPE 18 is bidirectionally coupled to transceiving equipment 7 of the central office switching station 8 through a communication interface 6, such as a telephone line (e.g., landline trunk), although in other embodiments, other suitable types of interfaces may also be employed for that interface 6, such as one or more coaxial cable lines, or a wireless interface. A multiplexer/demultiplexer device 9 of the central office switching station 8 is bidirectionally coupled to the network 13 through a communication interface

12, which, in the preferred embodiment, includes a T1 or T3 high speed link, although in other embodiments, other suitable types interfaces also may be employed between those components 9 and 13, such as, for  
5 example, a wireless or other interface, depending on applicable system architecture.

The test node 22 according to this invention includes a plurality of interfaces (IF1) and (IF2) that are each coupled to the node 15 of communication interface  
10 20 through a respective one of the bidirectional communication links 24a and 24b. Preferably, the test node 22 includes a PC or a server computer, each interface (IF1) and (IF2) includes a network interface card (NIC1 and NIC2, respectively) having a unique,  
15 pre-assigned IP address (i.e., the test node 22 is a "multi-homed" device), and the links 24a and 24b each include a high-speed link, such as a T1 or T3 link. Preferably, the links 24a and 24b do not support any other traffic other than that provided between the  
20 node 22 and router 15, and thus each link 24a and 24b has a same, known available bandwidth capacity. The internal construction of the test node 22 and the manner in which that test node 22 is employed in the invention will be described in more detail below.

The CPE 18 shown in Fig. 1 will now be described. In the illustrated embodiment, the CPE 18 includes transceiving equipment 3 and one or more user communication terminals, such as, for example, a PC 1 and a telephone 2, that are bidirectionally coupled to the transceiving equipment 3 through respective communication interfaces 5 and 19. Preferably, the transceiving equipment 3 includes an Asynchronous Digital Subscriber Line (ADSL) modem, although in other embodiments, other suitable types of transceiving equipment may also be employed, such as, for example, an xDSL modem, an Integrated Services Digital Network (ISDN) modem, a cable modem (and/or a cable converter or set top box), wireless transceiving equipment, and the like, depending on, for example, applicable performance criteria and the types of user communication terminals 1 and 2 employed. In the preferred embodiment, the ADSL modem 3 operates by modulating voice signals and data received from the respective devices 2 and 1, using a known ADSL modulation technique (such as, e.g., Discrete Multitone Technology (DMT), Carrierless Amplitude Modulation (CAP), or Multiple Virtual Line (MVL) technique, etc.), and by forwarding resulting modulated information to the switching station 8 by way of interface 6. The modem 3 also operates by

demodulating information received over the interface  
6, using a known ADSL demodulation technique (e.g.,  
DMT, CAP, or MVL techniques, etc.), and by separating  
voice signals from data included in the received  
5 information using, for example, an associated  
splitting device (e.g., a POTS splitter) (not shown).  
The separated voice signals and data are then  
forwarded to the respective devices 2 and 1, through  
the corresponding interfaces 19 and 5, each of which  
10 may include, for example, a telephone line, cable  
line, or a wireless interface, depending on the types  
of user communication terminals 1 and 2 employed.

Referring now to Fig. 2, a preferred embodiment of the  
test node 22 (also referred to as a "user  
15 communication terminal" ), and an exemplary embodiment  
of the user communication terminal 1, are shown, and  
are each identified by reference numeral 21. In Fig.  
2, user communication terminal 21 preferably comprises  
a controller (e.g., a microprocessor and/or logic  
20 array) 21a for performing arithmetic and/or logical  
operations required for program execution, at least  
one input user-interface 21d that is coupled to the  
controller 21a, and at least one output user-interface  
21e that also is coupled to the controller 21a. In  
25 the case of the user communication terminal 22 (i.e.,  
the test node 22 of Fig. 1), the controller 21a is



bidirectionally coupled to each of the interfaces (IF1) and (IF2) (i.e., NIC1 and NIC2, respectively), and can communicate bidirectionally through each one of those interfaces and the corresponding link 24a, 24b (Fig. 1) coupled thereto. In the case of the user communication terminal 1 (of Fig. 1), one or more ports 21b are provided for enabling the controller 21a of that terminal 1 to communicate bidirectionally with the modem 3 through those port(s) 21b and the link 5.

10 The input user-interface 21d may include any suitable type of user-operable input device(s), such as, for example, a keyboard, mouse, touch screen, or trackball, and the output user-interface 21e may include, for example, a video display, a liquid crystal or other flat panel display, a printer, a speaker, and/or any other suitable type of output device for enabling a user to perceive outputted information. For the purposes of this description, the output user-interface 21e is assumed to be a display.

15 20

The user communication terminal 21 of Fig. 2 also includes at least one memory (e.g., disk drives, read-only memories, and/or random access memories) 21c that is bidirectionally coupled to the controller 21a. The memory 21c stores temporary data and instructions, and

25

also stores various routines and operating programs (e.g., Microsoft Windows, UNIX/LINUX, or OS/2) that are used by the controller 21a for controlling the overall operation of the user communication terminal

5 21. Preferably, at least one of the programs (e.g., Microsoft Winsock) stored in memory 21c adheres to TCP/IP protocols (i.e., includes a TCP/IP stack), for implementing a known method for connecting the terminal 21 to the Internet 17, through the various

10 intermediate components of the system 10. The memory 21c may also store web browser software, such as, for example, Microsoft Internet Explorer (IE) and/or Netscape Navigator, for enabling a user of the terminal 21 to navigate or otherwise exchange

15 information with the World Wide Web (WWW). The memory 21c of test node 22 also stores routines for implementing a method according to one embodiment of this invention. That method will be described below in relation to Figs. 3a-3c. In accordance with

20 another embodiment this invention, both the user communication terminal 1 and the test node 22 store routines for implementing another method of the invention, which will be described below in relation to Fig. 7.

25 Before describing the further components of the communication system 1, it should be noted that

although this invention is described in the context of the test node 22 and user communication terminal 1 of Fig. 1 each being embodied as a PC (or, in the case of test node 22, a server computer), any other suitable

5 type of user communication terminal may be employed for those devices 1 and 22, and the CPE 18 may include other user communication terminals, in addition to those depicted in Fig. 1. For example, in other embodiments, the individual devices 1 and 22 each may

10 be embodied as a portable PC docking node, a web TV, personal digital assistant, handheld personal digital assistant, palmtop computer, cellular radiotelephone, or pager, and the like, and/or the CPE may include one or more of those devices in addition to the devices 1

15 and 2 shown in Fig. 1. Moreover, the total number and variety of user communication terminals that may be included in the CPE and the overall communication system 10 in general can vary widely, depending on user support requirements, geographic locations, and

20 applicable design/system operating criteria, etc., and are not limited to those depicted in Fig. 1. In general, the teaching of this invention may be employed in conjunction with any suitable types of communication terminals that are capable of

25 communicating with a communication system/network that communicates in accordance with a communication

protocol, such as TCP/IP. It should thus be clear  
that the teaching of this invention is not to be  
construed as being limited for use with any particular  
type of communication terminal or communication  
5 protocol.

It also should be noted that, although the equipment 3  
and 7 is shown in Fig. 1 as being separate components  
of the CPE 18 and station 8, respectively, in other  
embodiments, that equipment may be located within  
10 other components of the CPE 18 and station 8. For  
example, the modem 3 may be located internally within  
the housing of the user communication terminal 1,  
and/or the modem 7 may form an integral part of one of  
the other components of switching station 8.

15 Referring again to Fig. 1, the components of the  
central office switching station 8 will now be  
described. According to a preferred embodiment, the  
switching station 8 comprises the transceiving  
equipment 7 and the multiplexer/demultiplexer device  
20 9. Like the equipment 3, the transceiving equipment  
is preferably an ADSL modem (e.g., ATU-C), and  
operates in a similar manner as the equipment 3  
described above, by demodulating information received  
from the CPE 18 through link 6 (using, e.g., a known  
25 ADSL demodulation technique), and by separating voice

signals from data in the received information, using, for example, an associated splitting device (e.g., a POTS splitter) (not shown). The separated data is then forwarded to the multiplexer/demultiplexer device 5 9 via a link 10-1, and the separated voice signals are forwarded through a communication link 11 to a PSTN (not shown) for subsequent transmission to a particular receiving destination. The modem 7 also operates by modulating voice signals and data received 10 over the respective links 11 and 10-1, using a known ADSL modulation technique, and by forwarding resulting modulated information to the CPE 18 by way of interface 6.

The multiplexer/demultiplexer device 9 of switching 15 station 8 preferably includes a Digital Subscriber Line Access Multiplexer/Demultiplexer (DSLAM), although in other embodiments, such as those not employing ADSL technology, any other suitable type of multiplexer/demultiplexer device may also be employed. 20 In the preferred embodiment, the multiplexer/demultiplexer 6 operates by coupling signals received over links 10-1 to 10-n onto the communication interface 12, using a known multiplexing technique. The coupled signals are then transmitted 25 to the network 13 over that interface 12. The device 9 also operates by demultiplexing signals received

from the communication interface 12, using a known demultiplexing technique, and by forwarding resulting demultiplexed signals through respective ones of the links 10-1 to 10-n to respective predetermined  
5 destinations.

The communication network 13 shown in Fig. 1 will now be described. The communication network 13 preferably includes one or more switches 13a-13n that are interconnected by high-speed optical links, such as,  
10 e.g., OC-3 (Optical Carrier) links or other types of high speed links such as, e.g., T-1, T-3, DS-1, or DS-3 links, etc. The switches 13a-13n collectively operate in a known manner by routing information received from the individual communication interfaces  
15 12 and 14 to intended destinations outside of the network 13, based on address information (e.g., IP address information) included in the received information. Preferably, the network 13 operates in accordance with Frame Relay (FR) technology, although  
20 in other embodiments, other suitable types of techniques for routing data between particular source and destination points may also be employed, such as Asynchronous Transfer Mode (ATM) technology. As is known in the art, Frame Relay technology is a packet-  
25 switching protocol for transmitting intermittent traffic between networks (e.g., LANs or WANs) and

between end points in a communication system. Frame Relay technology places data in a frame for transmission, and provides a permanent virtual circuit (PVC) connection (i.e., a continuous, dedicated  
5 connection) between communicating end-points. ATM technology is a network connection switching technology based on transferring data in cells or packets having a fixed size. Individual cells are processed asynchronously relative to other related  
10 cells, and are queued before being multiplexed over a transmission path.

Referring to block 17 of Fig. 1, the Internet 17 will now be described. As used herein, the term "Internet" refers to an infrastructure having  
15 protocols and operating rules which effectively permit the creation of a world-wide "network of networks". By connecting a communication device, such as the communication terminal 1 or 22, to the Internet 17, information may be exchanged between that device and  
20 any other source/destination device which also is connected to the Internet 17. Thus, a matrix of interconnected communication devices is provided for enabling information to be exchanged between those devices. In general, devices connected to the  
25 Internet adhere to TCP/IP protocols.

Traditionally, various types of interconnecting equipment may form the interface 20, for connecting the network 13 to the Internet 17, such as, for example, optical fibers, wires, cables, switches, routers, and other types of communication equipment, although, for convenience, only the links 14 and 16 and the node 15 coupled to the test node 22 are shown in Fig. 1. Preferably, the node 15 (to which test node 22 is coupled) is a router located at a Point of Presence (POP) 15', and no other routers are coupled in the interface 20 between the router 15 and the network 13. A POP generally is provided and maintained by an enterprise, such as an Internet Service Provider (ISP), and is a location at which a network (e.g., network 13) can be connected to (interfaced with) another network entity, such as Internet 17.

Having described the various components of the communication system 10 in detail, an aspect of this invention will now be described. In accordance with this aspect of the invention, the inventor has invented a novel method, apparatus, and program for determining an amount of bandwidth that is available in at least one communication path which couples together nodes in a communication system. The method is preferably performed by exercising the



communication path (formed by the communication system components coupling together the nodes 22 and 1) using information signals, to determine a minimum amount of time it takes for the information signals to traverse

5 the path, in each direction, and by performing a predetermined algorithm employing the determined amount of time to calculate the bandwidth (in one of those directions). Preferably, the exercising operation includes a step of using first information

10 signals to exercise a first portion of the communication path, formed by the links 24a, 24b and the router 15, to determine an amount of queuing delay (QD) in the router 15, based on a first predetermined algorithm. The exercising operation preferably also

15 includes another step of using second information signals to exercise a second, larger portion of the communication path, coupling the test node 22 to the user communication terminal 1, to determine the minimum amount of time (also referred to as a "round

20 trip time  $RTT_{T-CPE}$ " ) it takes for the information signals to be transferred bidirectionally between the test node 22 and user communication terminal 1 by way of that path. The bandwidth in question (e.g., the downlink bandwidth available in the portion of the

25 communication path formed by the components coupling the user communication terminal 1 to the router 15),

is then estimated based a second predetermined algorithm defining the bandwidth in terms of the queuing delay of the router 15 and the determined round trip time  $RTT_{T-CPE}$ .

5 Before describing the method of the invention in detail, the derivation of the first and second predetermined algorithms will first be described. As was described above, the first predetermined algorithm is employed for calculating the approximate amount of  
10 queuing delay (QD) of the router 15. The algorithm has a preliminary form defined in terms of the following basic formula (F1):

15 
$$RTT_{IF1-IF2} = QD + PTT \quad (F1)$$

wherein  $RTT_{IF1-IF2}$  represents the amount of time it takes for a hypothetical information packet originally transmitted by the test node controller 21a (through interface (IF1)) to the router 15, to be returned to  
20 that controller 21a by the router 15 (through test node interface (IF2)). The term PTT of formula (F1) represents a packet travel time, and is defined by the following relationship (F2):

25 
$$PTT = T_{IF1-POP} + T_{POP-IF2} \quad (F2)$$

In formula (F2),  $T_{IF1-POP}$  represents the amount of time it takes for a packet to travel from the test node

controller 21a to the router 15 by way of the  
interface (IF1) and link 24a, and  $T_{POP-IF2}$  represents the  
amount of time it takes for a packet to travel from  
the router 15 to the test node controller 21a by way  
5 of the link 24b and interface (IF2). Terms  $T_{IF1-POP}$  and  
 $T_{POP-IF2}$  of formula (F2) may also be expressed in terms of  
a relationship defined by the following formulas (F3)  
and (F4), respectively:

10 
$$T_{IF1-POP} = \text{Bits}_{IF1-POP} / BW_{T-POP} \quad (F3)$$

$$T_{POP-IF2} = \text{Bits}_{POP-IF2} / BW_{T-POP} \quad (F4)$$

wherein  $\text{Bits}_{IF1-POP}$  represents the number of bits of a  
15 hypothetical information packet transmitted from the  
test node 22 to the router 15 by way of interface  
(IF1) and link 24a,  $\text{Bits}_{POP-IF2}$  represents the number of  
bits of a hypothetical packet returned by router 15 to  
the test node 22 by way of link 24b and interface  
20 (IF2), and  $BW_{T-POP}$  represents the amount of bandwidth  
capacity provided by each link 24a, 24b coupled  
between the test node 22 and router 15. Assuming that  
the number of bits included in the hypothetical  
information packet transmitted from the test node 22  
25 to the router 15 is the same as the number of bits  
included in the hypothetical returned packet, then, by  
substituting the right side of each formula (F3) and  
(F4) for the terms  $T_{IF1-POP}$  and  $T_{POP-IF2}$ , respectively, in

the above formula (F2), and then simplifying the formula (F2), the following simplified formula (F5) can be obtained:

5            $PTT = 2 * (PS) / BW_{T-POP}$            (F5)

wherein (PS) represents the size (in bits) of each hypothetical information packet, and, as was previously described,  $BW_{T-POP}$  represents the amount of bandwidth capacity provided in each link 24a, 24b coupled between the test node 22 and router 15. Now, by substituting the right side of the formula (F5) for the term PTT appearing in formula (F1) above, and then solving the resulting formula (F1) for the term (QD) (defining the theoretical queuing delay of router 15), the following formula (F6) can be obtained, which represents the first predetermined algorithm referred to above:

20            $QD = RTT_{IF1-IF2} - (2 * (PS) / BW_{T-POP})$  (F6)

In formula (F6), and as was previously described,  $RTT_{IF1-IF2}$  represents an approximation of the amount of time it takes for a hypothetical information packet originally transmitted from test node controller 21a (through interface (IF1)) to the router 15, to be returned to that controller 21a by router 15 (through

test node interface (IF2)), and  $BW_{T-POP}$  and (PS) represent the same information as described above.

Having described the manner in which the first predetermined algorithm (F6) is derived, the manner in which the second predetermined algorithm is derived will now be described. As was previously described, the second predetermined algorithm is employed for calculating the amount of downlink bandwidth available in a communication path formed by the portion of the communication system 10 coupled between the user communication terminal 1 and router 15. That algorithm may be derived based on the following preliminary relationship (F7):

$$RTT_{T-CPE} = T_{IF1-POP} + MQD + T_{POP-CPE} + TR_{CPE-POP} + MQD + TR_{POP-IF2} \quad (F7)$$

wherein  $RTT_{T-CPE}$  represents the amount of time it takes for a second, return hypothetical information packet to be received by the test node controller 21a from user communication terminal 1, relative to a time when a first hypothetical information packet is transmitted from the test node controller 21a to that terminal 1. As was previously described, the term  $T_{IF1-POP}$  in formula (F7) represents the amount of time it takes for the first hypothetical information packet to travel from the test node controller 21a (through interface (IF1)) to the router 15, the term MQD represents an estimated

minimum queuing delay of the router 15 (which is determined as described below), and the term  $T_{POP-CPE}$  represents the amount of time it takes for the first hypothetical information packet to travel from the

5 router 15 to the controller 21a of user communication terminal 1. Moreover, the term  $TR_{CPE-POP}$  represents a theoretical amount of time it takes for the second, return hypothetical information packet to be received by the router 15, after the first hypothetical

10 information packet is received by the controller 21a of terminal 1 (although the signal delay within the user communication terminal 1 is typically negligible), and the term  $TR_{POP-IF2}$  represents the amount of time it takes for the second, return hypothetical

15 information packet to travel from the router 15 to the controller 21a of test node 22.

Based on a known relationship between an information packet size and the bandwidth of a communication path transmitting the packet, the terms  $T_{IF1-POP}$  and  $T_{POP-CPE}$  in

20 formula (F7) can be substituted for, and the two terms MQD in that formula (F7) can be combined to provide following formula (F8):

$$\begin{aligned}
 RTT_{T-CPE} = & ((PS)/BW_{T-POP}) + 2*MQD + ((PS)/BW_{POP-CPE}) \\
 & + TR_{CPE-POP} + TR_{POP-IF2} \quad (F8)
 \end{aligned}$$

25

wherein (PS) represents the size of the first  
 hypothetical information packet,  $BW_{T-POP}$  represents an  
 amount of bandwidth available in each individual link  
 24a and 24b coupled between the test node 22 and  
 5 router 15,  $BW_{POP-CPE}$  represents an amount of downlink  
 bandwidth available in the communication path portion  
 formed by the portion of the communication system 10  
 interposed between router 15 and user communication  
 terminal 1, and the terms MQD,  $TR_{CPE-POP}$ , and  $TR_{POP-IF2}$   
 10 represent the same information as was described above.

Assuming that the value of the term (PS) is  
 substantially greater than the value of each term  $TR_{CPE-POP}$   
 and  $TR_{POP-IF2}$  (i.e., the size of the first hypothetical  
 information packet is substantially greater than that  
 15 of the second, return hypothetical information  
 packet), then the effect of the values represented by  
 terms  $TR_{CPE-POP}$  and  $TR_{POP-IF2}$  in the overall formula (F8) is  
 negligible, and can be ignored. As a result, the  
 formula (F8) can be simplified to provide the  
 20 following formula (F9):

$$RTT_{T-CPE} = ((PS)/BW_{T-POP}) + 2*MQD + ((PS)/BW_{POP-CPE}) \quad (F9).$$

By rearranging the terms of that formula (F9) and  
 25 solving for  $BW_{POP-CPE}$  (representing the available  
 bandwidth in the communication path portion coupling  
 the user communication terminal 1 to router 15), the

$$5 \quad BW_{POP-CPE} = (PS) / (RTT_{T-CPE} - ((PS) / BW_{T-POP}) - 2 * MQD) \quad (F10).$$

28



In accordance with a preferred embodiment of the invention, the method is performed in two stages. A first stage includes the steps depicted in Fig. 3a, and is performed to approximate a minimum amount of queuing delay (MQD) of the router 15. A second stage of the method includes the steps shown in Figs. 3b and 3c, and is performed to determine a value for the term  $RTT_{T-CPE}$  described above, and also to determine the amount of downlink bandwidth ( $BW_{POP-CPE}$ ) available between the router 15 and user communication terminal 1.

In step A1 of Fig. 3a, the first stage of the method is started, and it is assumed that the user communication terminal 1 is "connected" to the Internet 17 through the intermediate components 5, 3, 6, 7, 10-1, 9, 12, 13, and 20 of the communication system 10, and that the test node 22 also is "connected" to the Internet 17 through components (IF1), (IF2), 24a, 24b, 15, and 16 of the system 10. For example, each terminal 1 and 22 may be connected to the Internet 17 in response to a user of the terminal causing a predetermined icon presented on the display 21e of the terminal to be selected, in which case one of the programs stored in the memory 21c of the terminal responds by communicating through the corresponding intermediate components to connect the

terminal to the Internet 17, in accordance with known TCP/IP protocols.

In step A2, it is assumed that the user of test node 22 operates the user interface 21d of that test node 22 to cause a predetermined view (not shown) to be presented on the display 21e. Preferably, the predetermined view prompts the user to specify an address (e.g., an IP address) of one of the interfaces (IF1) and (IF2) to which the user desires information to be sent. Assuming that the user then operates the user interface 21d to enter into the controller 21a information specifying the address of the interface (IF2) (i.e., NIC2) of test node 22, and then enters a command specifying that information packets be transmitted to that destination, then the controller 21a responds by transmitting an information packet to the router 15 by way of interface (IF1) and communication link 24a (step A3). Preferably, the transmitted information packet has a format in accordance with, for example, RFC 791 (or later revisions thereof), and has a size that is predetermined based on a value of a Packet Size Variable (PSV1) 36 stored in the memory 21e of the test node 22, although in other embodiments, that value may be specified in step A3 by the user through user interface 21d (in response to, for example, a

prompt being presented on display 21e in step A2).

The transmitted information packet preferably includes the user-specified address (i.e., the address of (IF2)), within, for example, a Destination IP Address field 32 in a header 30 of the packet (see, e.g., Fig. 4), and information identifying the time at which the packet was transmitted from the controller 21a in step A3. That packet transmission time information is preferably included in a data field 34 appended to the header field 30 (Fig. 4), and may be determined using any known technique. For example, the controller 21a may refer to an internal clock 21f within the controller 21a, immediately prior to transmitting the packet, to determine the packet transmission time.

At some time after receiving the information packet transmitted by test node 22 to the router 15 in step A3, the router 15 performs a known routing process to correlate the destination address from field 32 of the received packet to corresponding information stored in an internal routing table (not shown) of the router 15. Based on that corresponding information, the router 15 then forwards the packet through an output port specified by the corresponding information (which, in this case, specifies the output coupled to the link 24b) in the routing table. As a result, the packet is returned to the controller 21a of the test

node 22, by way of the link 24b and the interface  
(IF2) (step A4).

In step A5, the controller 21a of test node 22  
responds to receiving the information packet returned  
5 by the router 15 in step A4 by referring to the  
internal clock 21f to determine the receipt time of  
the packet (i.e., the time at which the packet is  
received). Then, in step A6 the controller 21a  
extracts the information specifying the packet's  
10 original transmission time from field 34 of the  
received packet, and employs that information and the  
packet receipt time determined in step A5 to determine  
a difference between the packet receipt time and the  
original packet transmission time. For example, the  
15 controller 21a may determine that difference by  
subtracting the original packet transmission time from  
the packet receipt time. The difference value  
determined in step A6 represents the amount of time  
taken for the packet transmitted by the test node  
20 controller 21a in earlier step A3, to be returned to  
that controller 21a by the router 15 in step A4.

After step A6 is performed, control passes to step A7  
where the controller 21a of test node 22 substitutes  
the difference value determined in previous step A6,  
25 the value specified by the PSV1 variable 36 stored in

memory 21c, and the value of a variable ( $VBW_{T-POP}$ ) 37  
(stored in memory 21c of test node 22) representing  
the amount of bandwidth available in the link 24a,  
into the first predetermined algorithm (F6) described  
5 above, in place of the terms  $RTT_{IF1-IF2}$ , (PS), and  $BW_{t-POP}$ ,  
respectively, in that algorithm (F6). The controller  
21a then solves the algorithm (F6), which is  
reproduced below for convenience, to determine a value  
of the term (QD).

10

$$QD = RTT_{IF1-IF2} - (2 * (PS) / BW_{T-POP}) \text{ (F6)}$$

The value of (QD) determined as a result of the  
performance of the algorithm (F6) represents an  
15 approximation of the amount of propagation delay  
experienced by the information packet while passing  
through the router 15, as a result of the queuing  
delay in the router 15, and is stored in the memory  
21c of the test node 22 by the controller 21a of that  
20 test node 22 (step A7).

Thereafter, control passes to step A8 where the  
controller 21a of the test node 22 determines whether  
or not a predetermined number of information packets  
have been transmitted by the test node 22 to the  
25 router 15, since the method began in earlier step A1.  
For example, the controller 21a may perform step A8 by  
comparing a value of a counter variable (not shown)

indicating the number of packets already transmitted by the test node 22, to a predetermined value (not shown), to determine whether or not the value of the counter variable equals the predetermined value.

- 5 Preferably, the predetermined value is large enough for enabling a large number of router queuing delay samples to be obtained.

If the performance of step A8 results in a determination of 'No' ('N' at step A8), then control  
10 passes back to step A2 where the method then continues in the above-described manner. If, on the other hand, the performance of step A8 results in a determination of 'Yes' ('Y' at step A8), then control passes to step A9, where a further step is performed.

- 15 According to a preferred embodiment of the invention, in step A9 the controller 21a examines all of the queuing delay (QD) values stored previously in the memory 21c during previous performances of step A7, to determine which one of those values is smallest, and  
20 then stores the determined smallest value in the memory 21c of the test node 22 (step A10). That value represents the minimum queuing delay of the router 15 determined during the performance of the first stage of the method of the invention.

It should be noted that any suitable, known technique may be employed by the controller 21a to determine the smallest queuing delay value in step A9 (such as, e.g., a technique comparing pairs of the values to  
5 determine a smallest value), and thus that step will not be described in further detail herein. In other embodiments of the invention, step A9 may be performed using known techniques to determine a median value, average value, or other desired value among the (QD)  
10 values stored in the memory 21c during previous performances of step A7, depending on applicable operating criteria.

After step A10 is performed, control passes through connector (A) to Fig. 3b, where the second stage of  
15 the method is started. In step A11 of Fig. 3b, the controller 21a of test node 22 presents a view (not shown) on the test node display 21e prompting the user to specify an address (e.g., an IP address) of a destination for which he desires to conduct an  
20 Internet connection bandwidth test. Assuming that the user desires to conduct such a test for the user communication terminal 1, and thus enters information specifying an address of that terminal 1 into controller 21a in the above-described manner, then the  
25 controller 21a responds in step A12 by transmitting an information packet to the router 15 by way of test

node interface (IF1) and communication link 24a (step A12). The information packet transmitted in step A12 preferably has a message format in accordance with, for example, RFC 791 (or later revisions thereof), and includes various data fields, such as, for example, those depicted in Fig. 4. Preferably, data field 34 (Fig. 4) of the transmitted information packet includes information specifying the time at which the packet was transmitted from the controller 21a in step A12 (as determined by internal clock 21f), a source address field 40 of the packet includes information identifying a source address of the interface (IF2) (i.e., NIC2), a Destination IP Address field 32 of the packet includes information identifying the destination address specified by the user in previous step A11, and a Time-To-Live field 39 in a header 30 of the packet includes information specifying a maximum number of hop counts through which the information packet is permitted to travel. That number of hop counts preferably equals the number of hops existing in the portion of the communication system 10 provided from the test node 22 to the user communication terminal 1, and, in this example, is '2' (e.g., the router 15 represents one hop, and the user communication terminal 1 represents another hop).



At some time after receiving the information packet transmitted by the test node 22 in step A12, the router 15 extracts the hop counts value (e.g., '2') from the Time-To-Live field 39 in the received packet, 5 reduces that value by '1', and then reinserts the resulting reduced value (e.g. '1') back into the field 39 of the received packet (step A13). Also in step A13, the router 15 then operates in the above-described manner to correlate the destination address 10 from field 32 of the received packet to corresponding information stored in the internal routing table (not shown) of the router 15. Then, based on that corresponding information, the router 15 forwards the packet, including the reduced hop counts value, 15 through the output specified by the corresponding information (which, in this case, specifies the output coupled to communication link 14) in the routing table. As a result, the information packet is forwarded through the link 14 to the network 13, 20 which, in turn, responds in step A14 by operating in the above-described manner to forward the packet to the user communication terminal 1 (by way of system components 12, 8, 6, 3, and 5), based on the destination address included in field 32 of the packet 25 (step A14).

In step A15 of Fig. 3b, the controller 21a of user communication terminal 1 responds to receiving the information packet in previous step A14 by extracting the hop counts value (e.g., '1') from the Time-To-Live field 39 of the received packet, and by then reducing the extracted value by '1' to obtain a resulting value of '0'. The controller 21a of user communication terminal 1 then recognizes that the obtained value is '0' in step A16, and then responds by extracting (i) the information specifying the packet transmission time from data field 34 of the received information packet, and (ii) the source address information from source address field 40 of the received packet, and by forming an error message that includes the extracted information (i) and (ii) (step A17). Preferably, the message formed in step A17 is an Internet Control Message Protocol (ICMP) message having a message format in accordance with, for example, RFC 792 (or later revisions thereof), includes data fields as shown in, for example, Fig. 5, and has a size (e.g., 36 bytes) that is substantially less than that of the information packet previously transmitted by the test node 22 in step A12 (to render the terms  $TR_{CPE-POP}$  and  $TR_{POP-IF2}$  in formula (F8) negligible). In the preferred embodiment, the information (i) extracted in step A17 is included in a beginning portion (e.g., the first

eight bytes) of a data field 44 of the error message, and the information (ii) extracted in step A17 is included in a Destination Address field 46 of a header 42 in the message.

5 After forming the error message in the above-described manner, the controller 21a of user communication terminal 1 transmits the message as an information packet, to the network 13, via system components 5, 3, 6, 8, and 12 (step A18). The network 13 then responds  
10 in step A19 in the above-described manner by forwarding the message through link 14 to the router 15, based on the information included in the Destination Address field 46 of the message. Thereafter, the router 15 responds to receiving the  
15 message by operating in the above-described manner to cause the received message to be forwarded to the test node controller 21a, by way of components 24b and (IF2), based on the information included in the Destination Address field 46 of the message and  
20 corresponding information stored in the internal routing table of router 15 (step A20). Control then passes through connector (B) to step A21 of Fig. 3c.

In step A21 of Fig. 3c, the controller 21a of test node 22 responds to receiving the message routed  
25 thereto in previous step A20 by referring to the

internal clock 21f to determine the receipt time of the message in the controller 21a. Then, in step A22, the controller 21a extracts the information specifying the original packet transmission time from field 44 of the received message, and employs that information and the message receipt time determined in step A21, to determine a difference between the message receipt time and the original packet transmission time (step A22), in a similar manner as was described above. The value of the difference determined in step A22 also is referred to in this description as a "round-trip time ( $RTT_{T-CPE}$ ) value", and represents an approximation of the amount of time taken for the test node controller 21a to receive the return error message (from user communication terminal 1), after originally transmitting the information packet in earlier step A12 (Fig. 3b). That determined value is then stored by the controller 21a of the test node 22 in the test node memory 21c.

After step A22 is performed, control passes to step A23 where the test node controller 21a determines in the above-described manner whether or not a predetermined number of information packets has been transmitted by the test node 22 to the user communication terminal 1, since the second stage of the method began in earlier step A11. Like step A8 of

the first method stage described above, step A23 is preferably performed so that a large number of round-trip time samples are obtained.

If the performance of step A23 results in a  
5 determination of 'No' ('N' at step A23), then control passes through connector (C), back to step A12 of Fig. 3b, where the method then continues in the above-described manner. If, on the other hand, the performance of step A23 results in a determination of  
10 'Yes' ('Y' at step A23), then control passes to step A24 where the test node controller 21a examines the  $RTT_{T-CPE}$  values stored previously in the test node memory 21c during the previous performances of step A22, to determine which one of those values is smallest, and  
15 then stores the determined smallest value in the memory 21c of the test node 22 (step A24). That smallest value represents the minimum determined amount of time taken (i.e., the minimum round-trip time) for the test node controller 21a to receive an  
20 error message from the user communication terminal 1, after transmitting a corresponding, error-provoking information packet in step A12 during the performance of the second stage of the method.

It should be noted that, as for the minimum queuing  
25 delay determination described above with respect to

the first method stage (Fig. 3a), any suitable technique may be employed by the test node controller 21a to determine the smallest round-trip time ( $RTT_{T-CPE}$ ) value in step A24, and one skilled in the art would readily appreciate in view of this description how to formulate an algorithm for use by the controller 21a in making such a determination. In other embodiments of this invention, step A24 may be performed to determine a median value, average value, or other desired value among the determined round-trip time ( $RTT_{T-CPE}$ ) values stored in memory 21c, depending on applicable performance criteria.

After the minimum round-trip time value is determined in step A24, the controller 21a retrieves the values of the variables PSV2 and  $VBW_{T-POP}$  and the minimum queuing delay (MQD) value (stored in earlier step A10) from the test node memory 21c, and substitutes the retrieved values into the second predetermined algorithm (F10) in place of the terms (PS),  $BW_{T-POP}$ , and MQD, respectively, in that algorithm. The controller 21a also substitutes the minimum round-trip time value determined in previous step A24 into the second predetermined algorithm (F10), in place of the term  $RTT_{T-CPE}$  in that algorithm. Thereafter, the test node controller 21a performs the second predetermined algorithm (F10), which is reproduced below for

convenience, to solve for the term  $BW_{POP-CPE}$  in that algorithm (step A25).

5 
$$BW_{POP-CPE} = (PS) / (RTT_{T-CPE} - ((PS) / BW_{T-POP}) - 2 * MQD) \quad (F10).$$

The value obtained as a result of the performance of the algorithm (F10) in step A25 represents an approximation of the maximum amount of downlink bandwidth available in the communication path portion  
10 formed by the intermediate system components 5, 3, 6, 7, 10-1, 9, 12, 13, and 14, coupled between the user communication terminal 1 and router 15.

After the downlink bandwidth value is determined in step A25, control passes to step A26, where the  
15 controller 21a of test node 22 causes that value to be displayed on the display 21e of the node 22. In other embodiments of the invention, the controller 21a may also cause the value to be stored in the test node memory 21c, and/or forwarded in a message to the user  
20 communication terminal 1 or some other predetermined destination (not shown) (step A26), where, the value may be presented to another user or stored for later retrieval thereof. Thereafter, control passes to step A27 where the method terminates.

25 Another embodiment of this invention will now be described, with reference being made to Fig. 6. In

Fig. 6, a communication system 50 constructed in accordance with this embodiment is shown. The system 50 comprises the same components 1 to 22 as the system 10 of Fig. 1 described above. However, in this

5 embodiment, the test node 22 is coupled to the router 15 through the network 13 and a plurality of bidirectional communication links 24a-1, 24a-2, 24b-1, and 24b-2. Preferably, the links 24a-1 and 24b-1 bidirectionally couple the respective test node

10 interfaces (IF1) and (IF2) to a switch 13n of the network 13, and the links 24a-2 and 24b-2 each bidirectionally couple the switch 13n to the router 15, although in other embodiments, the links 24a-1, 24b-1 and 24a-2, 24b-2 may be coupled to one or more

15 different ones of the switches 13a-13n in the network 13 and the test node 22 may be coupled to the router 15 through more than one of those switches 13a-13n. Preferably, the links 24a-1, 24a-2, 24b-1, and 24b-2 are high speed T1 or T3 links. The links 24a-1, 24a-

20 2, 24b-1, and 24b-2 provide permanent virtual circuits (PVCs) between the test node 22 and router 15, in a case where network 13 is a Frame Relay network, and provide virtual circuits (VCs) between the test node 22 and router 15, in a case where the network 13 is an

25 ATM network.



In accordance with this embodiment of the invention, the above-described method of Figs. 3a-3c is performed in a similar manner as was described above, except that information packets exchanged between the test  
5 node 22 and router 15 are transferred through the network 13 (by way of links 24a-1, 24a-1 or 24b-1, 24b-2), and information packets that are forwarded from the test node 22 to the user communication terminal 1 pass through the components 24a-1, 24a-2  
10 (or 24b-1, 24b-2) 15, 14, 13, 12, 8, 6, 3, and 5, in that order. Conversely, information packets that are forwarded from the terminal 1 to the test node 22 pass through the same components, but in a reversed order.

A method for determining the amount of bandwidth  
15 available in a communication path in accordance with a further embodiment of this invention will now be described. The method according to this embodiment of the invention is performed by transferring a file between nodes that are coupled together through the  
20 path, and by determining the rate at which the file is received at the receiving node, to obtain the communication path bandwidth. The method of this embodiment of the invention may be employed in conjunction with either of the system configurations  
25 depicted in Figs. 1 and 6, or in any other suitable type of communication system/network, although for

convenience, the following description is described only in the context of the method being employed in the system 10 of Fig. 1.

Referring now to Fig. 7, a flow diagram of the method according to this embodiment of the invention is shown. In step A100 of Fig. 7 the method is started, and it is assumed that both the user terminal 1 and the test node 22 are connected to the Internet 17 in the above-described manner. It also is assumed that the user of user communication terminal 1 desires to determine the uplink and downlink connection bandwidths provided by the communication system 10 for the terminal 1, and thus operates the user interface 21d of that the terminal 1 to cause a command to be entered into the controller 21a requesting that the user be notified of those bandwidths (step A102).

Thereafter, in step A103 the controller 21a of user communication terminal 1 responds to receiving the command by forming a message that includes information specifying the user request, the address of user communication terminal 1 (representing a source address), and the destination address of a predetermined one of the interfaces (IF1), (IF2) of test node 22, such as, e.g., the interface (IF1). The controller 21a of terminal 1 then communicates the

formed message to the test node 22, by way of intermediate system components 5, 3, 6, 8, 12, 13, 14, and 15, and 24a, in the above-described manner (step A103). In response to eventually receiving that

5 message, the controller 21a of test node 22 responds by extracting the source and destination address information from the message and by retrieving a predetermined file from the memory 21c of the test node 22. Preferably, the predetermined file has a

10 size that is substantially larger than the amount of the downlink bandwidth (e.g., on the order of about 100 times the amount of the downlink bandwidth) expected to be available in the communication path formed by the system components coupled between the

15 node 22 and the terminal 1. That file also preferably includes a first predetermined code (e.g., a Start-of-File code) at a beginning portion of the file, and a second predetermined code (e.g., an End-of-File code) at an end portion of the file (see, e.g., RFC 959).

20 Thereafter, the test node controller 21a downloads the retrieved file, along with the extracted source and destination address information, to the user communication terminal 1 by way of system components 24a, 15, 14, 13, 12, 8, 6, 3, and 5 (step A104).

25 Preferably, the downloading step A104 is performed in accordance with, for example, RFC 959 (File Transfer

Protocol) (or later revisions thereof), and the  
downloaded information has a format in accordance with  
that protocol, although in other embodiments, any  
other suitable types file transfer protocols/message  
5 formats may also be employed.

In step A105, the controller 21a of the user  
communication terminal 1 measures the period of time  
taken for the file to be downloaded into that  
controller 21a, based on the first and second  
10 predetermined codes included in the file and time kept  
by the internal clock 21f of the terminal 1, and also  
determines the size of the file. For example, the  
controller 21a may measure the file download time by  
detecting the receipt of the first predetermined code  
15 included in the received file, and by then referring  
to the internal clock 21f of that controller 21a to  
determine the receipt time of that first predetermined  
code. Also, as the end portion of the file is  
received, the controller 21a detects the second  
20 predetermined code (e.g., End Of File code) included  
in that end portion of the received file, and again  
refers to the internal clock 21f to determine the  
receipt time of the second predetermined code.  
Thereafter, the controller 21a determines the period  
25 of time taken for the file to be downloaded thereto by  
subtracting the determined receipt time of the first

predetermined code from the determined receipt time of the second predetermined code. Also by example, the controller 21a may determine the size of the downloaded file by setting a predetermined counter

5 variable (initially '0') equal to value '1', in response to detecting a first byte (e.g., Start-of-File) of the file, and by then increasing the value of that variable by '1' each time a next byte of the downloaded file is received, to determine the total

10 number of bytes included in the downloaded file. The value of that counter variable remaining after a last, predetermined byte (e.g., End-Of-File) of the file has been received indicates the size (in bytes) of the downloaded file. Preferably, the controller 21a then

15 multiplies that counter variable value by '8' to determine the total number of bits included in the file (representing the file size in bits), although in other embodiments that step need not be performed.

After determining both the period of time taken for

20 the file to be downloaded into the controller 21a of the user communication terminal 1, and the size of the downloaded file (in step A105), the controller 21a of that terminal 1 then performs a predefined algorithm that employs the determined file size and the time

25 period measured in step A105 to determine a value representing an approximation of the rate at which the

file was downloaded through the communication system  
10 (step A106). For example, that algorithm may be  
performed by dividing the determined size of the  
downloaded file by the measured download time period.

5 As can be appreciated by one skilled in the art, the  
value determined in step A106 also represents the  
amount of downlink bandwidth available in the  
communication path formed by the intermediate system  
components 24a, 15, 14, 13, 12, 9, 10-1, 7, 6, 3, and  
10 5, coupled between the node 22 and terminal 1.

After step A106 is performed, control passes to step  
A107 where the controller 21a of user communication  
terminal 1 presents the determined downlink bandwidth  
value to the user of terminal 1 through the output  
15 user-interface 21e (step A107). The controller 21a  
also uploads the received file, along with information  
identifying the addresses of the respective terminals  
1 and 22, back to the test node 22, by way of the  
intermediate system components 5, 3, 6, 8, 12, 13, 14,  
20 15, 24a, and (IF1), in the above-described manner  
(step A108). Preferably, that uploading step A108 is  
performed in accordance with, for example, RFC 959  
(File Transfer Protocol) (or later revisions thereof),  
and the uploaded information has a format in  
25 accordance with that protocol, although in other

embodiments, any other suitable types file transfer protocols/message formats may also be employed.

In step A109, the controller 21a of the test node 22 measures both the period of time taken for the file to  
5 be uploaded into that controller 21a, and the size of the uploaded file, in a similar manner as was described above. For example, the controller 21a preferably measures the file upload time period by detecting the first and second predetermined codes  
10 included in the respective beginning and ending portions of the file, referring to the time kept by the internal clock 21f (within test node 22), upon detecting each code, to determine the receipt time of each respective code, and by subtracting the  
15 determined receipt time of the first predetermined code from that of the second predetermined code, to determine the file upload time period. Also by example, the controller 21a preferably measures the size of the uploaded file by detecting each byte of  
20 the uploaded file, as it is being received, and by increasing the value of a predetermined counter variable (initially '0') by '1' in response to detecting each individual byte of the file, to determine (count) the total number of bytes included  
25 in the uploaded file. The value of that counter variable remaining after a last, predetermined byte

(e.g., End-of-File) of the file has been received indicates the size (in bytes) of the uploaded file. Preferably, the controller 21a then multiplies that remaining counter variable value by '8' to determine  
5 the total number of bits included in the file, although in other embodiments that step need not be performed.

After determining the file size and upload time period in step A109, the controller 21a of test node 22 then  
10 performs a predefined algorithm that employs the determined file size and upload time period to determine a value representing the rate at which the file was uploaded through the communication system 10 (step A110). That determined value also represents  
15 the amount of uplink bandwidth available in the communication path formed by the system components 5, 3, 6, 7, 10-1, 9, 12, 13, 14, 15, 5, and 24a coupled between the terminal 1 and the node 22. As for the predefined algorithm performed within the terminal 1  
20 in earlier step A106, the predefined algorithm performed by the test node controller 21a in step A110 may be performed by, for example, dividing the determined size of the uploaded file by the determined file upload time period.



Thereafter, in step A111 the test node controller 21a forwards information representing the uplink bandwidth value determined in step A110 in a message to the user communication terminal 1, by way of the intermediate  
5 system components 15, 14, 13, 12, 8, 6, 3, and 5 (step A111). In other embodiments, the test node controller 21a may also forward that message to another predetermined destination (not shown), store the value in the test node memory 21c for later retrieval,  
10 and/or present the value to a user of the test node 22 via the output user-interface 21e.

In step A112, the controller 21a of user communication terminal 1 responds to receiving the message transmitted by the test node 22 in previous step A111  
15 by presenting the determined bandwidth value included in the received message to the user of the terminal 1, through the output user-interface 21e of the terminal 1. In other embodiments, the controller 21a may store that value in the memory 21c of the terminal 1 for  
20 later retrieval by the user of that terminal 1, depending on applicable performance criteria. Thereafter, the method terminates.

The foregoing embodiments of the invention enable the bandwidth available in a communication path coupled  
25 between nodes in a communication system to be

determined, in a manner which overcomes the problems associated with the prior art methods described above. For example, the method of Figs. 3a-3c can be initiated to determine the downlink bandwidth from a single location (i.e., test node 22), and does not require the use of any additional software in the user communication terminal 1. The methods of the invention may be employed regardless of the type of backbone employed in the communication system (e.g., the methods may be used in FR networks, ATM networks, etc.), and may be employed both in systems in which IP address are statically allocated and systems in which IP addresses are DHCP based.

Also by example, because the test node 22 is coupled to the user communication terminal 1 through the router 15 located at the POP 15', it is not necessary to rebuild any virtual circuits before conducting the methods of the invention, since the router 15 automatically facilitates the transfer of information (e.g., a file or information packets) between those devices, by way of communication path existing between those devices. As a result, problems associated with the rebuilding of virtual circuits are avoided.

It should be noted that while this invention is described in the context of the user communication

terminal 1 communicating with the Internet 17 through  
a communication system having the particular  
configurations shown in Fig. 1 and Fig. 6, the  
invention is not necessarily limited for use only in  
5 conjunction with those particular system  
configurations, but may also be employed in any other  
suitable types of communication systems/networks,  
depending on applicable system/network architecture.  
It also should be noted that although the invention is  
10 described in the context of the user communication  
terminal 1 communicating with the Internet 17 through  
the central office switching station 8, network 13,  
and communication interface 20, in other embodiments,  
no switching station 8, network 13, or interface 20  
15 need be employed, and the user communication terminal  
1 may communicate with the Internet 17 through other  
suitable types of interface components, depending on  
applicable system architecture. Moreover, although  
the invention is described in the context of the CPE  
20 18 having the user communication terminal 1 for  
communicating with other components of the system 10  
through the modem 3, in other embodiments, the user  
communication terminal 1 may be included within a WAN,  
LAN, or a wireless network, and may communicate with  
25 the other components of the system 10 through a  
network server or wireless transceiver (not shown).

It should be further noted that while the method shown in Figs. 3a-3c is described in the context of the terminal 22 prompting the user to enter destination address information separately in steps A2 and A11, and in the context of the user of terminal 22 initiating the performance of that method, it also is within the scope of this invention for the user of the terminal 22 to enter that information in a single step A2, and/or for the user of terminal 1 to initiate the performance of the method by causing a command to be transmitted to the terminal 22, and/or for the method to be initiated automatically, without any user intervention. Similarly, while the method of Fig. 7 is described in the context of the user of terminal 1 initiating the performance of the method, it also is within the context of this invention for that method to be initiated at the test node 22, either automatically or in response to a user-entered command.

Furthermore, it is within the scope of this invention for the user of either terminal 1, 22 to program the value of one or more of the above-described variables PSV1, PSV2, and  $VBW_{T-POP}$  into the controller 21a of test node 22, and for the user of either terminal 1 or 22 to pre-specify the number of packets to be transmitted by the test node 22 during the first and second stages

of the method of Figs. 3a-3c. Furthermore, the sizes  
(defined by variables PSV1 and PSV2) of the  
information packets employed in those stages may  
either be the same or different, depending on  
5 applicable performance criteria, user preferences, and  
the like.

Also, although the method of Figs. 3a-3c is described  
in the context of there being only the single router  
15 coupled between the test node 22 and user  
communication terminal 1, the invention may also be  
employed in systems having more or less than that  
number of routers 15. For example, in cases in which  
more than a single router exists between the test node  
22 and terminal 1, the value included in the TTL field  
15 39 during the performance of the method of Figs. 3a-3c  
is preferably set to account for that number of  
routers, and the above-described algorithms preferably  
are adapted to account for that number of routers  
(i.e., for enabling a minimum queuing delay (MQD) to  
20 be determined for each router, in the above-described  
manner), in a manner as would be readily appreciated  
by one skilled in the art in view of this description.

While the invention has been particularly shown and  
described with respect to preferred embodiments  
25 thereof, it will be understood by those skilled in the

art that changes in form and details may be made  
therein without departing from the scope and spirit of  
the invention.

**WHAT IS CLAIMED:**

1. A method for determining an amount of  
bandwidth available in at least one communication path  
5 coupling a plurality of nodes together, the method  
comprising the steps of:

exercising the at least one communication  
path, using information signals, to determine the  
amount of time it takes for at least one of those  
10 information signals to traverse the at least one  
communication path in at least one direction; and

determining an amount of bandwidth available  
in at least a portion of the at least one  
communication path, based on the amount of time  
15 determined in the exercising step.

2. A method as set forth in Claim 1,  
wherein the exercising step includes steps of:

exercising a first, smaller portion of the  
at least one communication path that includes a first  
20 one of the plurality of nodes, using first information  
signals, to determine an amount of signal propagation  
delay present in the first node; and

exercising a second, larger portion the at  
least one communication path that includes the first

node and a second one of the plurality of nodes, using  
second information signals, to determine an amount of  
time it takes for at least one of the second  
information signals to traverse the second, larger  
5 portion of the at least one communication path in at  
least one direction; and

wherein the determining step is performed  
based on both the amount of time determined in that  
exercising step and the amount of signal propagation  
10 delay determined to be present in the first node.

3. A method as set forth in Claim 2,  
wherein the first node is located at a Point of  
Presence, and wherein the bandwidth is in a downlink  
direction in the at least one communication path,  
15 extending from the first node to the second node.

4. A method as set forth in Claim 2,  
wherein the step of exercising the first, smaller  
portion of the at least one communication path  
includes steps of:

20 forwarding individual ones of the first  
information signals from a test node, through the  
first node, and then back again to the test node, by  
way of the first, smaller portion of the at least one  
communication path;



determining the amount of time taken for each individual first information signal to arrive back at the test node, after being forwarded from the test node; and

- 5                   determining a minimum amount of signal propagation delay experienced by the first information signals while passing through the first node, based on the determined amount of time taken for those first information signals to arrive back at the test node;
- 10   and

                  wherein the step of determining the amount of bandwidth available in the at least one communication path is performed based, at least in part, on the determined minimum amount of signal

15   propagation delay.

5.   A method as set forth in Claim 4, wherein the first node includes a router, and the signal propagation delay is caused by a queuing delay in the router.

- 20                  6.   A method as set forth in Claim 4, wherein the step of determining the minimum amount of signal propagation delay is also performed based on at least one of a size of an individual first information signal and a predetermined bandwidth provided between

the test node and the first node.

7. A method as set forth in Claim 2,  
wherein the step of exercising the second, larger  
portion of the at least one communication path using  
5 the second information signals includes the steps of:

forwarding at least one second information  
signal from a test node through the second, larger  
portion of the communication path to the second node,  
to cause that second node to transmit at least one  
10 third information signal back to the test node through  
the second, larger portion of the at least one  
communication path; and

determining a minimum amount of time taken  
for the at least one third information signal to  
15 arrive at the test node, relative to a time when the  
at least one second information signal was forwarded  
from the test node; and

wherein the step of determining the amount  
of bandwidth available in the at least one  
20 communication path is performed based, at least in  
part, on that determined minimum amount of time.

8. A method as set forth in Claim 7,  
wherein the step of determining the amount of  
bandwidth available in the at least one communication

path is performed by executing a predetermined algorithm which is defined as follows:

$$BW_{\text{POP-CPE}} = (PS) / (RTT_{\text{T-CPE}} - ((PS) / BW_{\text{T-POP}}) - 2 * MQD)$$

wherein  $BW_{\text{POP-CPE}}$  represents the amount of  
5 bandwidth available in at least a portion of the at  
least one communication path,  $RTT_{\text{T-CPE}}$  represents the  
minimum amount of time taken for the at least one  
third information signal to arrive at the test node,  
relative to the time when the at least one second  
10 information signal was forwarded from the test node,  
(PS) represents a predetermined size of an individual  
one of the second information signals,  $BW_{\text{T-POP}}$  represents  
a predetermined bandwidth provided between the test  
node and the first node, and MQD represents a  
15 predetermined minimum queuing delay present in the  
first node.

9. A method as set forth in Claim 7,  
wherein the second and third information signals each  
include information packets, and wherein the  
20 information packets of the second information signals  
are substantially larger in size than the information  
packets of the first information signals.

10. A method as set forth in Claim 7,  
wherein the second information signals include

information specifying a predetermined number of hop counts included in the second, larger portion of the at least one communication path, wherein, during the forwarding step, a step is performed of reducing the predetermined number of hop counts specified by the information included in each second signal, based on a number of hops included in the second, larger portion of the at least one communication path, and wherein the second node responds to receiving each individual second signal by further reducing the predetermined number of hop counts specified by the information included in that second information signal, and by then transmitting a corresponding third information signal, based on a result obtained by further reducing that predetermined number of hop counts.

11. A method as set forth in Claim 7, wherein each second information signal includes error-provoking information, and wherein each third signal is an error signal that is transmitted by the second node in response to that second node receiving a corresponding one of the second signals including the error-provoking information.

12. A method as set forth in Claim 11, wherein each third signal is an Internet Control Message Protocol (ICMP) message.

13. A method as set forth in Claim 1,  
further comprising a step of presenting, to a user,  
information indicating the determined amount of  
bandwidth available in the at least one communication  
5 path.

14. An apparatus for determining an amount  
of bandwidth available in at least one communication  
path coupling a plurality of nodes together, the  
apparatus comprising:

10 means for exercising the at least one  
communication path, using information signals, to  
determine the amount of time it takes for at least one  
of those information signals to traverse the at least  
one communication path in at least one direction; and

15 means for determining the amount of  
bandwidth available in at least a portion of the at  
least one communication path, based on the amount of  
time determined in the exercising step.

15. An apparatus for determining an amount  
20 of bandwidth available in at least one communication  
path coupling a plurality of nodes together, the  
apparatus comprising:

a memory storing at least one program;

at least one electronic interface circuit;  
and

a controller coupled to said memory and to  
the at least one communication path through said  
5 electronic interface circuit, said controller  
operating under the control of the at least one  
program stored in said memory for performing (a) an  
exercising operation for exercising the at least one  
communication path by causing information signals to  
10 traverse that path by way of said electronic interface  
circuit, (b) a first determining operation for  
determining, based on the exercising operation, the  
amount of time taken for at least one of those  
information signals to traverse the at least one  
15 communication path in at least one direction, and (c)  
a second determining operation of determining the  
amount of bandwidth available in at least a portion of  
the at least one communication path, based on the  
amount of time determined in the first determining  
20 operation.

16. An apparatus as set forth in Claim 15,  
wherein said controller performs the exercising  
operation by communicating first information signals  
through a first, smaller portion of the at least one  
25 communication path that includes the first node, to

determine an amount of signal propagation delay present in the first node, and by causing second information signals to traverse a second, larger portion of the at least one communication path that

5 includes the first node and a second one of the plurality of nodes, to determine the amount of time it takes for at least one of those second information signals to traverse the second, larger portion of the at least one communication path in at least one

10 direction, and wherein said controller performs the second determining operation based on that determined amount of time and the amount of signal propagation delay determined to be present in the first node.

17. An apparatus as set forth in Claim 16,

15 wherein the first node is located at a Point of Presence, and wherein the bandwidth is in a downlink direction in the at least one communication path, extending from the first node to the second node.

18. An apparatus as set forth in Claim 16,

20 wherein said controller also operates under the control of said at least one program stored in said memory by determining the amount of time taken for each individual first information signal to arrive back at said controller from the first node, after

25 being communicated by said controller to the first

node, and by determining, based on that amount of time determined for each first information signal, the minimum amount of signal propagation delay experienced by the first information signals while passing through  
5 the first node, and wherein said controller performs the second determining operation based on that determined minimum amount of signal propagation delay.

19. An apparatus as set forth in Claim 18, wherein the first node includes a router, and the  
10 signal propagation delay is caused by a queuing delay in the router.

20. An apparatus as set forth in Claim 18, wherein said memory also stores first information representing a size of an individual first information  
15 signal and second information representing a predetermined amount of bandwidth provided in the first, smaller portion of the at least one communication path coupled between said electronic interface circuit and the first node, and wherein said  
20 controller determines the minimum amount of signal propagation delay based also on at least one of the first and second information stored in said memory.

21. An apparatus as set forth in Claim 16, wherein said controller performs the second  
25 determining operation by executing a predetermined



algorithm defined as follows:

$$BW_{POP-CPE} = (PS) / (RTT_{T-CPE} - ((PS) / BW_{T-POP}) - 2 * MQD)$$

wherein  $BW_{POP-CPE}$  represents the amount of  
bandwidth available in at least a portion of the at  
least one communication path,  $RTT_{T-CPE}$  represents the  
minimum the amount of time taken for an error message  
transmitted by a second one of the nodes, to be  
received by said controller, relative to a time when  
an error-provoking second information signal was  
transmitted by said controller, (PS) represents a  
predetermined size of an individual one of the second  
information signals,  $BW_{T-POP}$  represents a predetermined  
bandwidth provided in the first, smaller portion of  
the at least one communication path coupled between  
said electronic interface circuit and the first node,  
and MQD represents a predetermined minimum queuing  
delay present in the first node.

22. An apparatus as set forth in Claim 15,  
wherein each of the information signals includes an  
information packet.

23. An apparatus as set forth in Claim 15,  
further comprising at least one user output interface  
coupled to said controller, wherein said controller  
also operates under the control of said at least one

program stored in said memory for controlling the at least one user interface to cause information indicating the determined amount of available bandwidth to be presented to a user, through that at  
5 least one output user interface.

24. A program product which includes computer-readable code for executing a method to determine an amount of bandwidth available in at least one communication path coupling a plurality of nodes  
10 together, the method comprising the steps of:

exercising the at least one communication path, using information signals, to determine the amount of time it takes for at least one of those information signals to traverse the at least one  
15 communication path in at least one direction; and

determining the amount of bandwidth available in at least a portion of the at least one communication path, based on the amount of time determined in the exercising step.

20 25. A program product as set forth in Claim 24, wherein the exercising step includes steps of:

exercising a first, smaller portion of the at least one communication path that includes a first one of the plurality of nodes, using first information

signals, to determine an amount of signal propagation delay present in the first node; and

exercising a second, larger portion of the at least one communication path that includes the  
5 first node and a second one of the plurality of nodes, using second information signals, to determine an amount of time it takes for at least one of the second information signals to traverse the second, larger portion of at least one communication path in at least  
10 one direction; and

wherein the determining step is performed based on both the amount of time determined in that exercising step and the amount of signal propagation delay determined to be present in the first node.

15 26. A program product as set forth in Claim 25, wherein the first node is located at a Point of Presence, and wherein the bandwidth is in a downlink direction in the at least one communication path, extending from the first node to the second node.

20 27. A program product as set forth in Claim 25, wherein the step of exercising the first, smaller portion of the at least one communication path includes steps of:

forwarding individual ones of the first

information signals from a test node, through the first node, and then back again to the test node, by way of the first, smaller portion of the at least one communication path;

5                   determining the amount of time taken for each individual first information signal to arrive back at the test node, after being forwarded from the test node; and

                  determining a minimum amount of signal  
10   propagation delay experienced by the first information signals while passing through the first node, based on the amount of time taken for those first information signals to arrive back at the test node; and

                  wherein the step of determining the amount  
15   of bandwidth available in the at least one communication path is performed based, at least in part, on the determined minimum amount of signal propagation delay.

28. A program product as set forth in Claim  
20   27, wherein the first node includes a router, and the signal propagation delay is caused by a queuing delay in the router.

29. A program product as set forth in Claim  
27, wherein the step of determining the minimum amount

of signal propagation delay is also performed based on  
at least one of a size of an individual first  
information signal and a bandwidth provided in the  
first, smaller portion of the at least one  
5 communication path coupled between the test node and  
the first node.

30. A program product as set forth in Claim  
25, wherein the step of exercising the second, larger  
portion of the at least one communication path using  
10 the second information signals includes the steps of:

forwarding at least one second information  
signal from a test node through the second, larger  
portion of the at least one communication path to the  
second node, to cause that second node to transmit at  
15 least one third information signal back to the test  
node through the second, larger portion of the at  
least one communication path; and

determining a minimum amount of time taken  
for the at least one third information signal to  
20 arrive at the test node, relative to a time when the  
at least one second information signal was forwarded  
from the test node; and

wherein the step of determining the amount  
of bandwidth available in the at least one

communication path is performed based on that  
determined minimum amount of time.

31. A program product as set forth in Claim  
30, wherein the step of determining the amount of  
5 bandwidth available in the at least one communication  
path is performed by executing a predetermined  
algorithm which is defined as follows:

$$BW_{POP-CPE} = (PS) / (RTT_{T-CPE} - ((PS) / BW_{T-POP}) - 2 * MQD)$$

wherein  $BW_{POP-CPE}$  represents the amount of  
10 bandwidth available in at least a portion of the at  
least one communication path,  $RTT_{T-CPE}$  represents the  
minimum the amount of time taken for the at least one  
third information signal to arrive at the test node,  
relative to a time when the at least one second  
15 information signal was forwarded from the test node,  
(PS) represents a predetermined size of an individual  
one of the second information signals,  $BW_{T-POP}$  represents  
a predetermined bandwidth provided between the test  
node and the first node, and MQD represents a  
20 predetermined minimum queuing delay present in the  
first node.

32. A program product as set forth in Claim  
30, wherein the second and third information signals  
each include information packets, and wherein the

information packets of the second information signals are substantially larger in size than the information packets of the first information signals.

33. A program product as set forth in Claim  
5 30, wherein each second information signal includes error-provoking information, and wherein each third information signal is an error signal that is transmitted by the second node in response to that second node receiving a corresponding second  
10 information signal that includes the error-provoking information.

34. A program product as set forth in Claim  
33, wherein each third information signal is an Internet Control Message Protocol (ICMP) message.

15 35. A program product as set forth in Claim 24, wherein the method further comprises a step of presenting, to a user, information indicating the determined amount of bandwidth available in the communication path.

20 36. A communication system, comprising:

a plurality of nodes;

at least one communication path coupling the plurality of nodes together; and

a test node coupled to a first one of said nodes coupled in said communication path, said test node for exercising the communication path by causing information signals to traverse the path by way of

5 said first node, said test node also for determining, based on the exercising operation, the amount of time it takes for at least one of those information signals to traverse the communication path in at least one direction, and for determining an amount of bandwidth

10 available in at least a portion of the communication path, based on the determined amount of time.

37. A communication system as set forth in Claim 36, further comprising at least one network interposed in said communication path between the

15 first node and a second one of the plurality of nodes.

38. A communication system as set forth in Claim 37, wherein the network operates in accordance with one of Frame Relay (FR) technology and Asynchronous Transfer Mode (ATM) technology.

20 39. A communication system as set forth in Claim 37, wherein the test node is coupled to the first node through the network, and wherein the first node includes a router located at a Point of Presence.

40. A communication system as set forth in



Claim 37, wherein the second node includes a user communication terminal and the first node includes a router located at a Point of Presence.

41. A communication system as set forth in  
5 Claim 40, further comprising a multiplexer/demultiplexer device interposed in said communication path between said network and said second node.

42. A communication system as set forth in  
10 Claim 41, wherein said first node is coupled to the Internet through a further communication path, and wherein the second node is coupled to the Internet through the at least one communication path, said first node, and the further communication path.

43. A communication system as set forth in  
15 Claim 42, wherein said second node communicates using at least one of Asynchronous Digital Subscriber Line (ADSL) technology, Integrated Services Digital Network (ISDN) technology, and wireless technology.

44. A communication system as set forth in  
20 Claim 36, wherein said test node exercises the first node, using information signals, to determine an amount of signal propagation delay present in the first node, and determines the amount of available

bandwidth based on both the determined amount of  
signal propagation delay and the determined amount of  
time.

45. A method for determining an amount of  
5 bandwidth available in at least one communication path  
coupling a plurality of nodes together, the method  
comprising the steps of:

exercising a first portion of the at least  
one communication path in which a first one of the  
10 nodes is coupled, using first information signals, to  
determine an amount time taken for at least one of  
those first information signals to traverse the first  
portion of the at least one communication path, in at  
least one direction;

15 determining an amount of signal propagation  
delay experienced by the at least one first  
information signal while passing through the first  
node, based on the determined amount of time;

exercising at least a second, larger portion  
20 of the at least one communication path, using second  
information signals, to determine an amount of time  
taken for at least one of those second information  
signals to traverse the second portion of the at least  
one communication path, in at least one direction,

wherein the first portion of the at least one communication path forms a portion of the second portion of the at least one communication path; and

determining an amount of bandwidth available  
5 in at least a portion of the at least one communication path, based on the determined amount of signal propagation delay and the amount of time determined in the step of exercising the second, larger portion of the at least one communication path.

10 46. A method as set forth in Claim 45, wherein the bandwidth is available in a portion of the at least one communication path which does not include the first portion of the at least one communication path.

15 47. An apparatus for determining an amount of bandwidth available in at least one communication path coupling a plurality of nodes together, the apparatus comprising:

a memory storing at least one program;  
20 at least one electronic interface circuit;  
and

a controller coupled to said memory and to the at least one communication path through said

electronic interface circuit, said controller  
operating under the control of the at least one  
program stored in said memory for performing (a) a  
first exercising operation of exercising a first  
5 portion of the at least one communication path in  
which a first one of the nodes is coupled, using first  
information signals, to determine an amount time taken  
for at least one of those first information signals to  
traverse the first portion of the at least one  
10 communication path, in at least one direction, (b) a  
first determining operation to determine an amount of  
signal propagation delay experienced by the at least  
one first information signal while passing through the  
first node, based on the amount of time determined in  
15 the first exercising operation, (c) a second  
exercising operation of exercising a second, larger  
portion of the at least one communication path, using  
second information signals, to determine an amount of  
time taken for at least one of those second  
20 information signals to traverse the second portion of  
the at least one communication path, in at least one  
direction, and (d) a second determining operation for  
determining an amount of bandwidth available in at  
least a portion of the at least one communication  
25 path, based on the amount of signal propagation delay  
determined in the first determining operation and the

amount of time determined in the second exercising  
operation,

wherein the first portion of the at least  
one communication path forms a portion of the second  
5 portion of the at least one communication path.

48. An apparatus as set forth in Claim 47,  
wherein the bandwidth is available in a portion of the  
at least one communication path which does not include  
the first portion of the at least one communication  
10 path.

49. A method for determining at least one  
bandwidth available in at least one communication path  
coupling together at least one router and a first  
node, the method comprising the steps of:

15 coupling a second, test node to the at least  
one router;

providing information from the second, test  
to the first node, through the at least one router and  
the at least one communication path;

20 determining an amount of time taken for the  
information to be received in the first node;

determining an amount of the information

received in the first node; and

determining a first bandwidth available in  
at least a portion of the at least one communication  
path, based on the determined amount of time and the  
5 determined amount of the information received in the  
first node.

50. A method as set forth in Claim 49,  
wherein the information includes an electronic file.

51. A method as set forth in Claim 50,  
10 wherein the electronic file has a format in accordance  
with RFC 959.

52. A method as set forth in Claim 49,  
wherein the step of determining the amount of time  
taken for the information to be received in the first  
15 node comprises the steps of:

determining a first, earlier time at which a  
first, beginning portion of the information is  
received at the first node;

determining a second, later time at which a  
20 second, ending portion of the information is received  
at the first node; and

calculating the amount of time taken for the  
information to be received in the first node, based on

the determined first and second times.

53. A method as set forth in Claim 52,  
wherein the step of determining the amount of the  
information received in the first node includes steps  
5 of:

counting a number of bytes included in the  
information, as the information is being received in  
the first node, to determine the total number of bytes  
included in the information; and

10 multiplying the number of bytes counted in  
the counting step by a predetermined value to  
determine the total number of bits included in the  
information.

54. A method as set forth in Claim 49,  
15 further comprising the steps of:

providing the information from the first  
node to the second, test node through the at least one  
communication path and the at least one router;

determining an amount of time taken for the  
20 information to be received in the second, test node;

determining an amount of the information  
received in the second, test node; and

determining a second bandwidth available in at least a portion of the at least one communication path, based on that determined amount of time and that determined amount of the information.

5           55. A method as set forth in Claim 54, wherein the step of determining the amount of time taken for the information to be received in the second, test node comprises the steps of:

          determining a third, earlier time at which  
10   the first, beginning portion of the information is received at the second, test node;

          determining a fourth, later time at which the second, ending portion of the information is received at the second, test node; and

15           calculating the amount of time taken for the information to be received in the second, test node, based on the determined third and fourth times.

          56. A method as set forth in Claim 55, wherein the step of determining the amount of the  
20   information received in the second, test node includes steps of:

          counting a number of bytes included in the information, as the information is being received in



the second, test node, to determine the total number of bytes included in the information; and

multiplying the number of bytes counted in that counting step by a predetermined value to  
5 determine the total number of bits included in the information.

57. A method as set forth in Claim 54, wherein the first bandwidth is available in the at least one communication path in a direction extending  
10 from the second, test node to the first node, and wherein the second bandwidth is available in the at least one communication path in a direction extending from the first node to the second, test node.

58. An apparatus for communicating with a  
15 node through at least one router and at least one communication path, said apparatus comprising:

a memory storing at least one program;

at least one electronic interface circuit coupled to the at least one router; and

20 a controller coupled to said memory and to the at least one communication path through said electronic interface circuit and the at least one router, said controller operating under the control of

the at least one program stored in said memory, and  
being responsive to receiving information from the  
node through the at least one communication path, the  
at least one router, and the at least one electronic  
5 interface circuit for (a) determining an amount of  
time taken for the information to be received in the  
apparatus, (b) determining an amount of the  
information received in the apparatus, and (c)  
determining a bandwidth available in at least a  
10 portion of the at least one communication path, based  
on the determined amount of time and the determined  
amount of the information.

59. An apparatus as set forth in Claim 58,  
wherein the information is a file having a format in  
15 accordance with RFC 959.

60. An apparatus as set forth in Claim 58,  
wherein the controller is responsive to receiving a  
first, beginning portion of the information for  
determining a first, earlier time at which the first,  
20 beginning portion of the information is received, said  
controller also is responsive to receiving a second,  
ending portion of the information for determining a  
second, later time at which the second, ending portion  
of the information is received, and wherein said  
25 controller determines the amount of time taken for the

information to be received in the apparatus, based on the determined first and second times.

61. An apparatus as set forth in Claim 60, wherein the controller responds to receiving each  
5 individual byte included in the received information, by counting the byte, to determine the total number of bytes included in the information received in the apparatus, and then multiplies the determined total number of bytes by a predetermined value to obtain the  
10 total number of bits included in the information.

62. An apparatus as set forth in Claim 58, wherein the controller also operates under the control of the at least one program for forwarding the information received from the node, back to the node,  
15 by way of the electronic interface circuit, the at least one router, and the at least one communication path.

63. A program product, for use in a computer coupled to a node through at least one router  
20 and at least one communication path, the program product including computer-readable code for executing a method to determine an amount of bandwidth available in the at least one communication path, the method comprising the steps of:

at the computer, detecting the receipt of information forwarded to the computer from the node, through the at least one communication path and the at least one router;

5                   determining an amount of time taken for the information to be received in the computer;

                  determining an amount of the information received in the computer; and

                  determining a bandwidth available in at  
10   least a portion of the at least one communication path, based on the determined amount of time and the determined amount of the information.

                  64. A program product as set forth in Claim  
15   63, wherein the information is a file having a format in accordance with RFC 959.

                  65. A program product as set forth in Claim  
63, wherein the detecting step comprises the steps of:

                  detecting a first, beginning portion of the information; and

20                   detecting a second, ending portion of the information,

wherein the step of determining the amount of time taken for the information to be received in the computer comprises the steps of:

determining a first, earlier time at which  
5 the first, beginning portion of the information is detected; and

determining a second, later time at which the second, ending portion of the information is detected, and

10 wherein the step of calculating the amount of time taken for the information to be received in the computer is performed based on the determined first and second times.

66. A program product as set forth in Claim  
15 65, wherein the step of determining the amount of the information includes steps of:

counting each byte included in the information to determine the total number of bytes included in the information; and

20 multiplying the determined total number of bytes by a predetermined value to obtain the total number of bits included in the information.

67. A communication system, comprising:

at least one router;

at least one communication path; and

a plurality of nodes coupled together

5 through the at least one communication path and the at  
least one router,

wherein a first one of said plurality of  
nodes provides information to a second one of the  
nodes through the at least one communication path and  
10 the at least one router, and

wherein the first node is responsive to  
receiving the information for (a) determining an  
amount of time taken for the information to be  
received in the first node, (b) determining an amount  
15 of the information received in the first node, and

(c) determining a first bandwidth available  
in at least a portion of the at least one  
communication path, based on the determined amount of  
time and the determined amount of the information.

20 68. A communication system as set forth in  
Claim 67, wherein the first node is responsive to  
determining the first bandwidth for transmitting the  
information back to the second node through the at

least one communication path and the at least one  
router, and wherein the second node is responsive to  
receiving that information for (a1) determining an  
amount of time taken for the information to be  
5 received in the second node, (b1) determining an  
amount of the information received in the second node,  
and (c1) determining a second bandwidth available in  
at least a portion of the at least one communication  
path, based on that determined amount of time and that  
10 determined amount of the information.

69. A communication system as set forth in  
Claim 67, wherein the at least one router is located  
at a Point of Presence of the communication system.

## ABSTRACT

5 A method, apparatus (22), and program are provided for  
determining an amount of bandwidth available in at  
least a portion of at least one communication path (5,  
3, 6, 7, 10-1, 9, 12, 13, 14, 24a, 24b) coupling a  
plurality of nodes (1, 15, 22) together. The  
communication path (5, 3, 6, 7, 10-1, 9, 12, 13, 14,  
10 24a, 24b) is exercised using information signals, to  
determine the amount of time it takes for at least one  
of those information signals to traverse the  
communication path (5, 3, 6, 7, 10-1, 9, 12, 13, 14,  
24a, 24b) in at least one direction, and the amount of  
15 bandwidth available in at least a portion of the  
communication path (5, 3, 6, 7, 10-1, 9, 12, 13, 14,  
24a, 24b) is determined, based on the amount of time  
determined in the exercising step. In accordance with  
another embodiment of the invention, the bandwidth  
20 available in both uplink and download directions of  
the communication path is determined by transferring a  
file between a test node (22) and a user communication  
terminal 1, by way of the communication path, and a  
router (15).







FIG. 3A

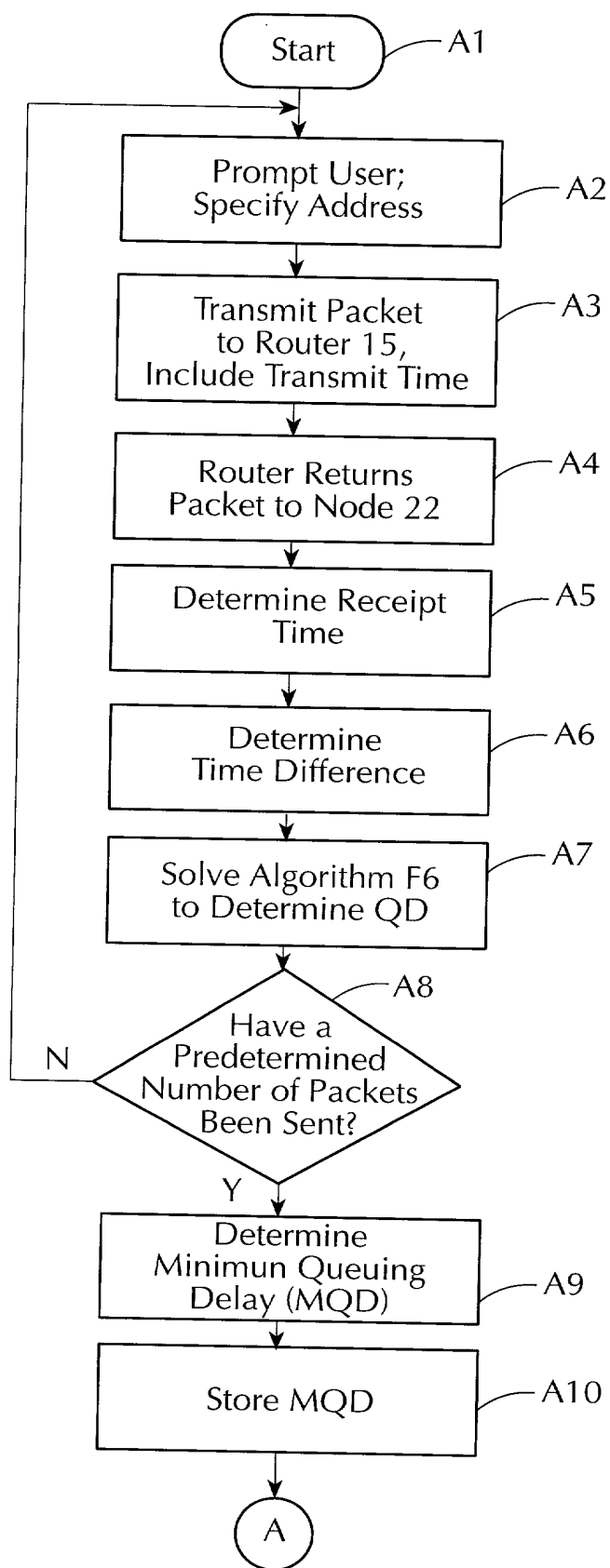


FIG. 3B

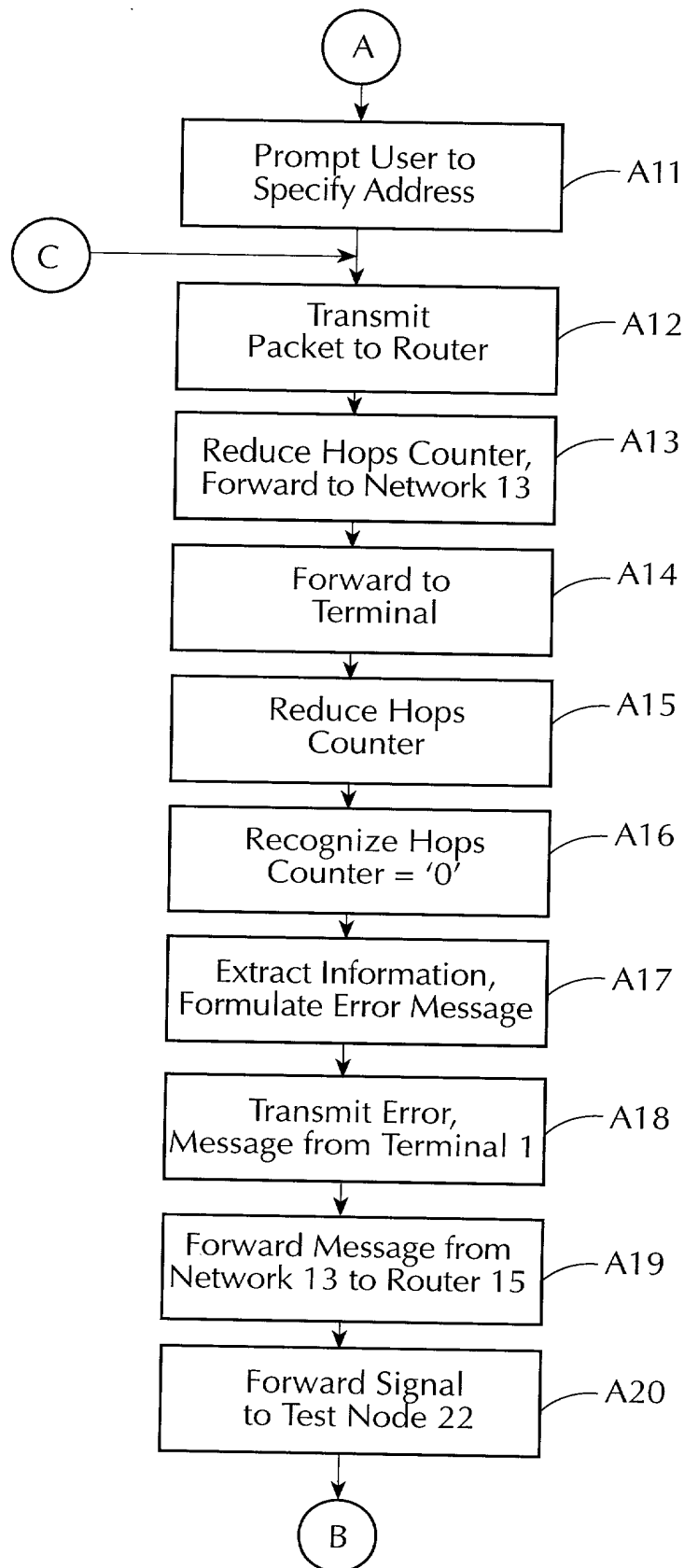


FIG. 3C

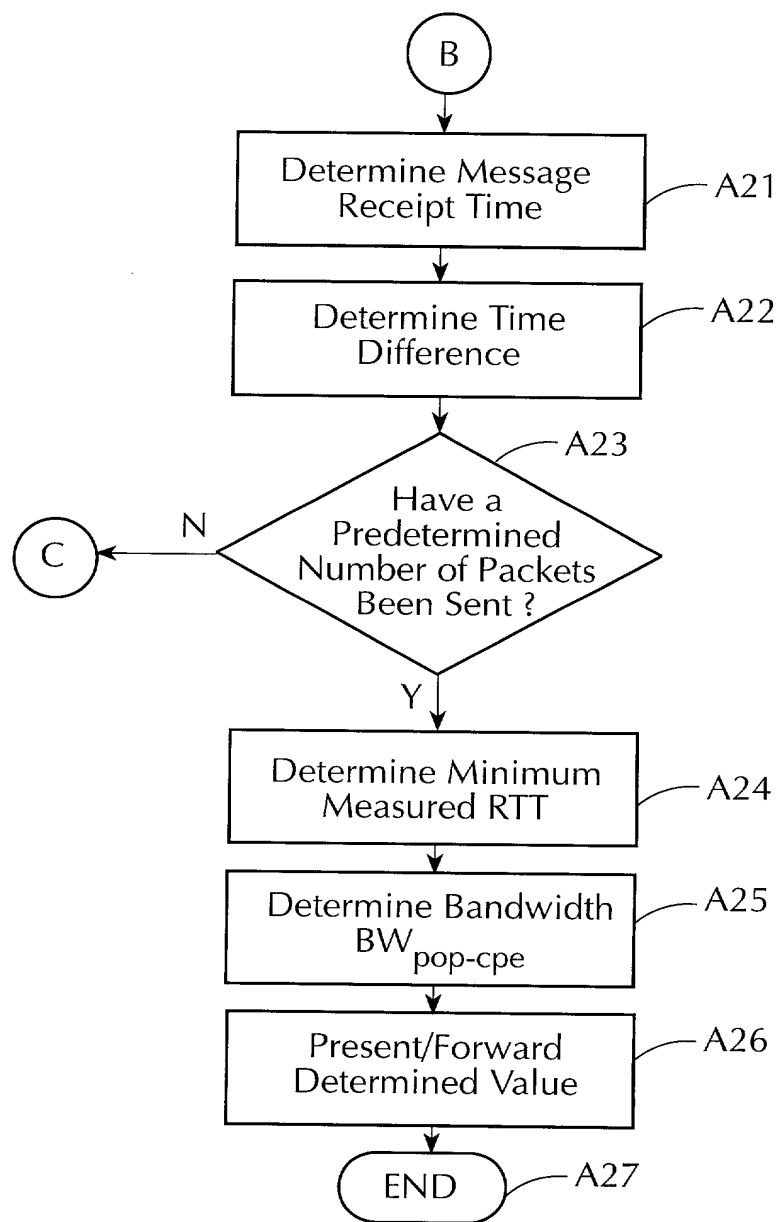
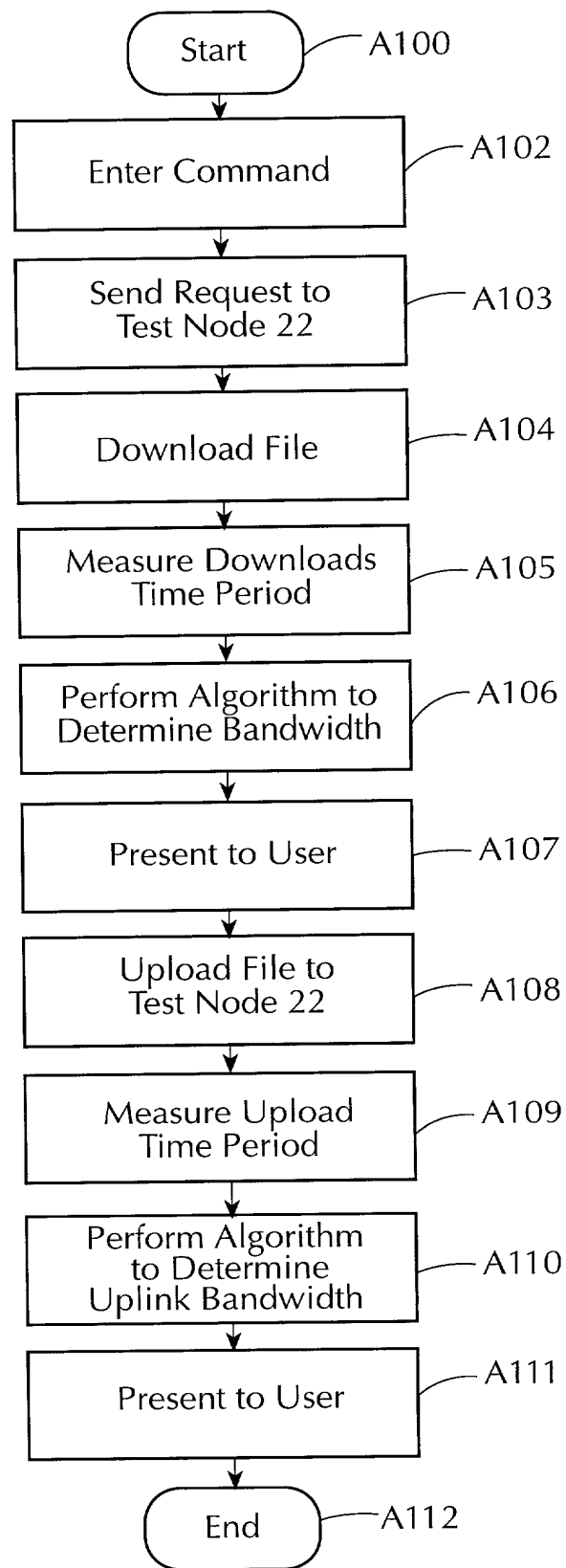






FIG. 7





# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Docket No. 00-8005

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## METHOD, APPARATUS AND PROGRAM FOR DETERMINING AVAILABLE BANDWIDTH BETWEEN MULTIPLE POINTS IN A COMMUNICATION SYSTEM

the specification of which [X] is attached hereto. [ ] was filed on  
as Appln. Serial No.

And was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year filed)

[ ] Yes [ ] No

I hereby claim the benefit under Title 35, United States Code, 119(e) of any United States provisional applications(s) listed below.

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date for this application:

(Appln. Serial No.)

(Filing Date)

(Status—patented, pending, abandoned)

Docket No. 00-8005

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Leonard C. Suchyta, Reg. No. 25,707, Floyd E. Anderson, Reg. No. 33,825  
and James K. Weixel Reg. No. 44,399

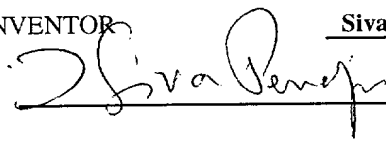
Address all telephone calls to James K. Weixel At telephone no. (781) 466-2220

Address all correspondence to Leonard C. Suchyta  
GTE Service Corporation  
600 Hidden Ridge, HQE03G13  
Irving, TX 75038

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR Siva Perraju Tolety

Inventor's signature



Date

7 Aug 2000

Residence Natick, Massachusetts

Citizenship

USA India 7 Aug 2000

Post Office Address 32 Silver Hill, #7 Natick, MA 01760

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